

CITY COMMISSION MINUTES

July 29, 2008

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, July 29, 2008 with Mayor Mick Wunder presiding.

The following members of the Commission were present: Terry Heldstab, Mike Rhodes, Ken Talley, Jack Taylor and Mick Wunder. Staff present was: City Manager Rod Barnes, Assistant City Manager Mike Guinn, City Attorney Christina Cook, City Clerk Tricia Gowen, and City Attorney Catherine Logan.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve the Consent Agenda. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. The Consent Agenda consisted of the following:

- a. Approval of the **July 15, 2008**, City Commission meeting minutes.
- b. The consideration of **Appropriation Ordinance** dated July 10, 2008, through July 23, 2008, in the amount of \$1,044,853.08.
- c. The consideration and approval of **Ordinance S-2997** that the 100 block of West 4th Street be designated a One-Way Street in the direction of East to West between Washington Street and Jefferson Street. **(Final Reading)**
- d. The consideration and approval of **Ordinance S-3016** requesting final (replat) plat for property generally located south of North Park Drive and east of Rucker Road, more particularly described as Bald Eagle Addition – Hunter's Ridge #2. **(Final Reading)**
- e. The consideration and approval of **Ordinance S-3017** requesting final (replat) plat for property generally located south of North Park Drive and east of Rucker Road and more particularly described Mallard Addition – Hunter's Ridge #2. **(Final Reading)**
- f. The consideration and approval of **Ordinance S-3018** for rezoning and annexation from County Service Commercial (CS) District to City General Commercial (CG) District for the property at the southeast corner of US 77 and Golden Belt Boulevard. **(Final Reading)**
- g. The consideration and approval of **Ordinance G-1038** to amend Section 310.010 and Table 1 Speed Zones for several areas in the City and to change the times for the lower speed limits near the elementary schools in the City. **(Final Reading)**
- h. The consideration and approval of **Pay Request #13** by HNTB for work completed to-date for the US-77 and K-18 Corridor Study, in the amount of \$6,450.39. (Reimbursement from KDOT is 60% (\$3,870.23), 20% from Geary County (\$1,290.08) and 20% from the City (\$1,290.08).
- i. The consideration and approval of **Special Assessment Certification** to the County for collection on the 2008 tax statements, in the amount of \$1,350,304.72.

- j. The consideration and approval of **Pay Request** by Ben Kitchen Painting, Inc., for work completed as part of the Buffalo Soldier housing rehabilitation grant at 205 N. Adams, in the amount of \$18,760.00.
- k. The consideration and approval of **Payroll Requests #14 and #15** for the month of July, 2008, in the amounts of \$232,896.75 (#14—July 3, 2008) and \$252,788.18 (#15—July 18, 2008).
- l. The consideration and approval of **Pay Request #7** by Rothwell Landscape, Inc., for services November 10, 2007, through July 16, 2008, at Riverwalk Landing, in the amount of \$24,927.38.
- m. The consideration and approval of **Pay Request #5** by J&K Contracting, for construction services at Tom Neal Industrial Park, in the amount of \$96,549.25.
- n. The consideration and approval of **Pay Request #9 and 13** calendar days by Walters-Morgan for weather related delays for the K-57 Drainage Ditch Improvements Project, in the amount of \$260,163.73.
- o. The consideration and approval of **Pay Request #4** by J&K Contracting, for construction services for the Thompson Drive/Ehler's Hilltop Pavement Patching Project, in the amount of \$54,952.09.
- p. The consideration and approval of **Grant of Construction Easement** from Humberto Cruz Correa and Madeline Cruz and **Donation of Right-of-Way** from Fred and Charlene Lueck for Spring Valley Road Corridor Improvements.
- q. The consideration and approval of **Grant of Easement and Grant of Construction Easement** from Steven and Karin Pringle for K-18 and Karns project.
- r. The consideration and approval of **Pay Request #11** by BG Consultants for services completed through June 30, 2008, on the Rucker Road – US 77 to Whitney, in the amount of \$10,095.74.
- s. The consideration and approval of **Pay Request #9** by BG Consultants, for professional services completed through June 30, 2008, on the Ditch Drainage with Patch project, in the amount of \$16,155.98.
- t. The consideration and approval of **Request for Bid for Advertisement** on July 30, 2008, for on-call electrical services for the City.
- u. The consideration and approval of **Deed for Right-of-Way for Public Road, Grant of Temporary Construction Easement** for properties along Rucker Road for Rucker Road Corridor Improvement.
- v. The consideration and approval of **Utility Reimbursement Requests** by Paver's Inc., for traffic signal interconnect cable at 6th and Jackson and 6th and Webster, in the amount of \$11,667.05.
- w. The consideration and approval of **Self-Help Housing Grant Application** to add Dickinson County to the Junction City Mutual Self-Help Housing USDA/Rural Development 2008 grant application.

- x. The consideration and approval of **Self-Help Housing Grant Application** for lots on Thompson Drive for 2008 USDA/Rural Development Grant. Additional information to be provided to Commissioners at pre-meeting on July 29, 2008.

SPECIAL PRESENTATIONS

- a. Special presentation by Mayor Wunder and Officer Wigton to the winners of the July Yard of the Month:
 - 1. Southeast The Printy Family
 - 2. Southwest The Sanford Family
 - 3. Northeast The Jolly Family
 - 4. Northwest The Dunlap Family
 - 5. West of Hwy 77 The Taggart Family

UNFINISHED BUSINESS

- a. The consideration and approval of **Plant Replacement** at Riverwalk Landing, by Rothwell Landscape, Inc., in the amount of \$3,883.38. **(REMOVED FROM AGENDA)**
- b. The consideration and approval of **Annual Maintenance** at Riverwalk Landing by Rothwell Landscape, Inc., in the amount of \$6,536.00. **(REMOVED FROM AGENDA)**
- c. The consideration and approval for **Walking Trail Improvements** at Riverwalk Landing, by Rothwell Landscape, Inc., in the amount of \$42,497.25. **(REMOVED FROM AGENDA)**

NEW BUSINESS

- a. The consideration and approval of **R-2480** to set public hearing date for September 2, 2008, for the de-annexation of certain land (which includes property belonging to Geary County, VFW Post 8773, Ronald and Sherri Strauss and Featherfield Farms, LLC.) from the boundaries of the City of Junction City. City Attorney, Katie Logan, informed the Commission that the first step for de-annexation is to adopt this resolution with the intent to hold a public hearing. Ms. Logan stated that the VFW Post 8773 and Featherfield Farms, LLC., could request to remain within the City boundaries. Commissioner Talley moved, seconded by Commissioner Taylor to approve R-2480 to set a public hearing date for September 2, 2008 for the de-annexation of certain land (which includes property belonging to Geary County VFW Post 8773, Ronald and Sherri Strauss and Featherfield Farms, LLC.) from the boundaries of the City of Junction City. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. The consideration and approval of **Ordinance S-3019** to establish the 100 block of 15th Street to one-way street headed westbound and the 100 block of 16th Street to a one-way street headed eastbound. **(First Reading)**. Commissioner Talley stated that he is concerned once again that they have started this type of action and it seems to be growing. He would like to see other alternatives presented to the City. City Engineer, Christina Cook, stated that other alternatives could be researched in cooperation with the property owners and the school district. Commissioner Rhodes was concerned with the costs for the required signage. Ms. Cook stated that she wanted to get this changed before school begins in August so that the signage could be installed and the public could be educated on the change. Commissioner Rhodes stated that the one-way streets could be done for the school year on a trial basis and then revisited. Ms. Cook stated that the HWS study did not

have any other one-way street recommendations for the other schools and that the on-way street recommendation is primarily for safety of the students. Commissioner Heldstab asked Captain Leithoff with the Police Department what the Police Department's view of the one-way streets. Captain Leithoff stated that they have not experienced any more problems than any other area of town. Mayor Wunder stated that he is concerned with the businesses in that area that are affected by the change to the one-way streets. He stated that he would like to see alternatives. Commissioner Taylor asked how long it would take to conduct another study to come up with alternative solutions. Ms. Cook stated that another study would not be able to be completed before school begins and the City would have to work with the school district for funding purposes. Commissioner Heldstab moved, seconded by Commissioner Talley to table Ordinance S-3019. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- c. The consideration and approval of **Notice of Award** to J&K Contracting, LC, for water main improvements, Phase 2, to serve West Acres Addition, in an amount not to exceed \$44,988.00. Commissioner Rhodes moved, seconded by Commissioner Talley to approve the Notice of Award to J&K Contracting, LC for water main improvements, Phase 2, to serve West Acres Addition in an amount not to exceed \$44,988.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- d. The consideration and approval of the **2009 Proposed Budget for Publication** on August 1, 2008. City Manager, Rod Barnes, informed the Commission that a public hearing has been scheduled for August 14, 2008 at 7 p.m. for the 2009 Budget. The budget must be published ten days prior to holding the public meeting. The budget will be published in the August 1, 2008 edition of the Daily Union. The purpose of this action is to determine the maximum mil levy. Once the mil levy is set, the Commission can decrease the mil levy prior to final adoption; however, they can not increase the mil levy above the maximum. By State law, the City's 2009 budget must be filed with the County Clerk by August 25th. The goal is to keep the mil levy at the current rate or lower. Mr. Barnes stated that the proposal in the agenda packets assumes the City will sell the sanitation service. Commissioner Heldstab stated that he was concerned with protecting the citizens and providing equal service from the company that would purchase the sanitation service. Mr. Barnes stated that he has brought the Commission's concerns to Waste Management. Commissioner Taylor stated that he is opposed to setting the mil levy at a higher rate; that the Commission owes it to the constituents to keep the mils at the proposed 44.679 and work to lower the mil levy further. He stated that he is concerned that if the City sells that sanitation service, we won't have anything left for next budget process. Mr. Barnes informed the Commission that as stated in their packets, the budget is at \$34,774,019 with \$7,313,185 levied for property taxes and a mil levy rate of 44.679 mils. If the Commission does not elect to sell the sanitation service, the budget for 2009 will increase to \$35,716,550 with \$8,346,827 levied for property taxes and a mil levy rate of 50.994 mils. Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve the 2009 Proposed Budget for Publication on August 1, 2008 setting the maximum mil levy for 2009 at 50.994 mils. Ayes: Heldstab, Rhodes, Wunder. Nays: Talley, Taylor. Motion carried three to two.
- e. Request for exemption for Kiosk sign at the Junction City Opera House. City Engineer, Christina Cook, informed the Commission that if approved, this would allow a kiosk type sign to be placed in the right-of-way in the 100 block of West 7th Street in front of the Opera House. The Contractors of the Opera House have proposed to install a kiosk type sign to designate its location and to place playbills advertising upcoming events. In order for this to occur, an exemption to City Ordinance 650-100 must be granted by the Commission. The sign will not encroach on the clear vision triangle for this intersection and will pose no

problems or hazards to the driving public. City Manager, Rod Barnes, stated that the sign has been donated. Commissioner Talley moved, seconded by Commissioner Rhodes to approve the exemption request for the Kiosk sign at the Junction City Opera House. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

(The Commission requests that comments be limited to a maximum of five minutes for each person).

Alex Scott, 835 W. 5th Street, Junction City, KS. Mr. Scott asked if the recycling center will remain on North Perry if Waste Management takes over the sanitation service. The Commission stated yes. Mr. Scott would like to see the promotion of recycling in our community.

Norma Stanislow, 418 N. Jefferson, Junction City, KS. Ms. Stanislow stated that she did not agree with the 100 block of West 4th Street becoming a one-way street. Assistant City Manager, Mike Guinn, stated that the property owners did not want to fund parking and the majority wanted the one-way street. Mayor Wunder stated that the City is going to try the one-way street; if it doesn't work, the issue will be revisited and alternatives will be explored.

John Stewart, 1026 W. Spruce, Junction City, KS. Mr. Stewart stated that he was still waiting for Spruce Street to be repaved. He was concerned with the storm water fund and who it was benefiting. Does it benefit the Bluffs? Mr. Barnes stated that the storm water fund was created to assist with the storm water issues throughout the City. The Bluffs RHID will assist with the infrastructure for the Bluffs. Mr. Stewart stated that the 17 mils to pay off the City's debt is disgraceful. He commended the Mayor for thinking outside of the box on the suggestion to combine with the County on departments like public works, fire, police, etc. He sees no reason to pay twice for the same services.

COMMISSIONER COMMENTS

Commissioner Taylor requested an update on the blight situation. City staff stated that this is a work in progress and will bring future updates to the Commission. Commissioner Taylor also asked for an update on condemnation issues. Mark Karmann, Acting Codes Administrator, stated that Deerfield, Sutter Woods and Sutter Highlands have a new company that has taken over the projects to get them completed. Mr. Karmann stated he would update the Commission on the projects.

Commissioner Heldstab recognized Robert Hard, the new chairperson of the Human Relations Commission. Mr. Hard stated that the HRC is working to have a full board and are in the process of reviewing two applications for board members. Current board members Mr. Chris Barnes and Ms. Felice Pope were also in attendance. Commissioner Heldstab stated that it was a tough suggestion of starting high with the mil levy. He has heard concerns from the public about the sanitation service. Commissioner Heldstab appreciates the staff's work on the budget and thanked the department heads for their input on the budget.

Commissioner Rhodes stated that he is not proposing setting the mil levy at 50.994 mils; this is just a starting point to work down from; he wants the Commission to have wiggle room. Commissioner Rhodes asked about the asphalt shortages he has been hearing about. City Engineer, Christina Cook, stated that she is keeping track of the situation and

KDOT is as well. KDOT is tracking the issue and looking at possible alternatives. Ms. Cook is meeting with KDOT on Wednesday and plans to address the asphalt issue at the meeting. She stated that KDOT has not informed the City with regards to the asphalt that is to be used at 6th and Jackson and 6th and Webster. Ms. Cook plans to inquire about this project at the meeting with KDOT. The project at K-18 and Karns is the other project that is to use asphalt and she is concerned with this project. Ms. Cook stated that one of the issues is that we're waiting for the courts to make a decision on the bankruptcy case with Sims. Sims is one of the few oil companies that has KDOT approved oil for use in asphalt. Once Ms. Cook has more information from KDOT, she will inform the Commission. Mayor Wunder wanted to know if this was an issue just in Kansas or if it was nation-wide or even world-wide. Commissioner Talley stated that he doesn't want to begin projects that were scheduled for asphalt and then not be able to complete the projects.

Mayor Wunder asked Leon Osbourn with Kaw Valley Engineering for a report on the pond and what the problems. Mayor Wunder invited the public to attend, if weather permits, the slow-pitch challenge game between City staff and the General's. The game and all of the proceeds will benefit the Chapman community. The cost is \$5 for adults and \$1 for children. No season passes will be honored. Chapman residents with a valid ID will receive free admission.

STAFF COMMENTS

City Manager, Rod Barnes informed the Commission of upcoming retirements – Colleen Woodruff – August 22nd and Bill Fader – September 21st.

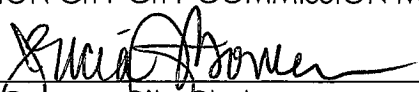
City Attorney, Katie Logan, apologized to the Commission for not presenting them with an ethics policy. She will have it ready for the next meeting.

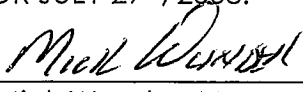
City Engineer, Christina Cook, stated that Union Pacific will repair the railroad tracks at the Chestnut Street crossing. Chestnut Street will be closed to traffic all day on Wednesday, July 30th. Chestnut Street will be reduced to one lane traffic with flaggers on Wednesday for construction. The speed limit is 20 mph and is considered a work zone and work zone fines will be enforced.

ADJOURNMENT

Commissioner Rhodes moved, seconded by Commissioner Heldstab to adjourn at 8:05 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 5th DAY OF AUGUST, 2008 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR JULY 29th, 2008.


Tricia Gowen, City Clerk


Mick Wunder, Mayor